IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	**8:15CR158**
Plaintiff,	)	
	)	
vs.	)	**ORDER**
	)	
JAMES CODER,	)	
	)	
Defendant.	)	

This matter is before the court on the oral motion to continue by defendant James Coder (Coder) to Senior Judge Bataillon on August 19, 2016. Coder seeks a continuance of the trial of this matter scheduled for August 22, 2016. Coder has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 30). The government's counsel had no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Coder's oral motion to continue trial is granted.

2. Trial of this matter is re-scheduled for **October 24, 2016,** before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 19, 2016, and October 24, 2016,** shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of August, 2016.

BY THE COURT:
s/ Thomas D. Thalken

United States Magistrate Judge